



Student Government Resolution xxxx

**A Resolution Simplifying and Amending the Constitution of the Truman State University
to Include a Judicial Branch and Governing Document Review Board**

**Sponsored by the Rules Revision Ad Hoc Committee: Jared Kolok, Committee Chair;
Kiren MacLeod, Voting Senator; Maddie Sarasio Meyer, Academic Affairs Committee
Chair; Emily Smith, External Affairs Chair; Deanna Schmidt, President of the Student
Association**

WHEREAS,

- The Student Government is the official governing body of the Student Association and exists to represent the present and long term best interests of the Student Association in the formulation of the University policy and in the fulfillment of the University's mission; and
- Resolution 119.004, *A Resolution Establishing the 2019-2020 Rules Revision Ad Hoc Committee*, authorizes the 2019-2020 Rules Revision Ad Hoc Committee to amend the governing documents of the Truman State University Student Government; and
- The Truman State University Student Government is bound by the rules detailed in its governing documents; and
- The Constitution of the Truman State University Student Government takes precedence over the governing documents and all legislation the Student Government adopts; and
- Amendments to the Constitution of the Truman State University Student Government require a two-thirds majority vote from the Student Senate and a majority vote from the Student Association to be approved; and
- The sections of the Constitution and Standing Rules dealing with election and ethical concerns are well rounded and thought out; and
- These sections, however, are in need of restructuring around a Judicial Branch centered on the Speaker of the Student Senate (Ethics Justice); and
- For the last three years, a Rules Revision Ad Hoc Committee has been called to order, previous years had also used a Ad Hoc Committee to review the governing documents; and
- In line with judicial considerations and the reliance on the Rules Revision Ad Hoc Committee, a permanent mechanism to review and amend the governing documents is necessary; and

- Changes to the Constitution are listed in Appendix I¹ with changes to the Standing Rules listed in Appendix II²;

THEREFORE BE IT RESOLVED THAT THE STUDENT GOVERNMENT,

- The Student Senate approves the proposed changes to the Standing Rules and the Constitution of the Truman State University Student Government and giving its consent to place the constitutional changes on the Spring 2020 general election ballot and up to a vote by the Student Association; and
- Provides the Constitutional authority for a Judicial Branch, the Election and Ethic Hearing Boards, and officially making the Speaker of the Student Senate the automatic Ethics Justice; and
- The ballot language for the proposed constitutional amendments shall read: A vote “yes” on this measure shall be considered an approval of the changes proposed to the Constitution of the Truman State University Student Government; and a vote “no” shall be considered a disapproval of the changes proposed to the Constitution of the Truman State University Student Government. Attached below are copies of both the current and proposed amended version of the Constitution of the Truman State University Student Government”; and
- Upon approval by the Student Association, the proposed changes to the Constitution shall immediately take effect; and
- Upon approval by the Student Senate and contingent upon the approval by the Student Association on the constitutional amendments, the proposed amendments to the Standing Rules of the Truman State University Student Government shall take effect immediately;
- Upon approval and immediate effect of the amendments to the governing documents, any corrections to section title or numbering in the table of contents of both governing documents shall take place.

THE STUDENT GOVERNMENT OF TRUMAN STATE DIRECTS THAT,

Additional copies of this resolution be disseminated to President Sue Thomas; Board of Governors; Janna Stoskopf, Vice President for Student Affairs; Office of Special Collections and the Truman Media Network.

¹ See Appendix I

² See Appendix II

Passed by Unanimous Consent, April 19, 2020.

A handwritten signature in blue ink that reads "Deanna Schmidt". The signature is written in a cursive style with a large, looped initial "D".

Deanna Schmidt, President of the Student Association.

Appendix I: The Constitution

Article V- The Executive Committee

Section 1

Clause 1

The membership of the Executive Committee shall include: the Executive Board, all individuals holding a chairship, ~~the Student Representative to the Board of Governors,~~ ~~the Ethics Justice,~~ the Executive Staff, ~~and~~ the Faculty Advisor, and the Staff Advisor.

Section II

Clause 5

In the event the presidency is vacant or invalid, the Vice President shall become the temporary chair of the Executive Committee. Should both the presidency and vice presidency be vacant or invalid, ~~the Student Senate shall elect a President Pro Tempore who shall serve as the Pro Tempore chair.~~ ~~the voting members of the Executive Committee shall elect from among themselves a temporary chair.~~

Article VI: The Judicial Branch

Section 1: Judicial Authority

Clause 1

The Speaker of the Student Senate, as the neutral member of the Student Government, shall serve as the Ethics Justice, the chief member of the Judicial Branch. The full duties of the Ethics Justice shall be listed in the Standing Rules. The Judicial Branch serves to ensure fairness, justice, and compliance in ethical and electoral matters affecting the Student Government.

Clause 2

Should the Speaker of the Student Senate be unfit to perform their judicial duties as Ethics Justice due to unwillingness, conflicts of interest, or active campaigning in an election, a replacement Ethics Justice shall be appointed by the President and approved by the Student Senate by a majority vote.

Section 2: The Governing Documents Review Board

The Governing Documents Review Board shall review the Constitution, Standing Rules, and the Code of Conduct to ensure functionality and modernity of the governing documents. The Governing Documents Review Board shall recommend amendments to the governing documents to the Student Government and Student Association for their approval.

Section 3: The Election Hearing Board

The Election Hearing Board shall be established during the fall and spring elections to address violations of the adopted election handbook during the fall and spring elections. The Ethics Justice shall oversee the Election Hearing Board and administer elections. Membership and procedures shall be outlined in the Standing Rules.

Section 4: The Ethics Hearing Board

The Ethics Justice shall establish and chair the Ethics Hearing Board to consider violations of the Student Government Ethical Code of Conduct and the Standing Rules and the Constitution of the Student Government. The membership and procedures for the Ethics Hearing Board shall be outlined in the Standing Rules. Violations of the Student Code of Conduct ~~University Conduct Code~~ shall be recommended to the University Conduct Board.

Section 85: Censure

Clause 1

All members of the Student Government shall be subject to censure for violations of the Student Government's Ethical Code of Conduct, Standing Rules of the Student Government, Constitution of the Student Government, or other important misconduct.

Clause 2

The Student Senate shall have the authority by a two-thirds majority vote of the total current voting membership to censure any member of the Student Government.

Clause 3

Censure may not be reconsidered, repealed, or expunged from the record in any way by the Student Senate.

Section 96: Impeachment

Clause 1

All members of the Student Government shall be subject to removal from office on impeachment for, and conviction of, serious violations of the Student Government's Ethical Code of Conduct, Standing Rules of the Student Government, Constitution of the Student Government, violations of the Student Conduct Code, University Regulations, Missouri statutes, and or federal law.

Clause 2

The Student Senate shall have the authority, by a two-thirds majority vote of the total current voting membership, to impeach any member of the Student Government.

Clause 3

The Student Senate shall convict and remove impeached members of the Student Government from office by a three-fourths majority vote of the current total voting membership.

Clause 4

Neither articles of impeachment nor removal from office may be reconsidered, repealed, or expunged from the record in any way by the Student Senate.

ARTICLE VI: ELECTIONS

Section 1: Terms

The Fall term shall be defined as the first day of first semester classes to the day before finals. The Spring term shall be defined as the first day of second semester classes through the Spring transitional meeting. ~~Only service in the legislature or executive shall count when determining the number of terms served.~~ If a member of the Student Association serves for over one-half of a term in the executive or legislature beginning with the date of their confirmation by the Student Senate, their service shall count as a full term.

Section 2: Election Administration

Student Government elections shall be administered according to the Standing Rules.

Section 3: ~~Incoming Senator Eligibility~~ Eligibility Requirements

Any full-time student with a minimum cumulative 2.75 Grade Point Average shall be eligible to run for office. ~~Section 11: Exclusivity of Positions~~ No student shall be eligible to seek election to more than one Student Government position at a time. Further eligibility requirement include:

- a. ~~A student meeting the necessary requirements for office shall be eligible to run for incoming senator if they are in their first semester at the University, not counting summer or winter interim~~

~~sessions.~~ Any student in their first semester at the University, excluding summer or winter interim sessions, shall be eligible to run ~~for~~ as an Incoming Senator;

- b. ~~Section 4: Senator Eligibility~~ Any student meeting the necessary requirements for office shall be eligible to run ~~for~~ as a Voting ~~s~~Senator;
- c. ~~Section 5: Senior Senator Eligibility~~ Any student who has served for four terms ~~meeting the necessary requirements for office shall be eligible to run for senior senator if they have served for two terms~~ as an elected member of the Student Government, ~~two academic years~~ four terms as an appointed member of the Student Government Executive Committee, or ~~one~~ two terms as an elected member of the Student Government and ~~one academic year~~ two terms as an appointed member of the Student Government Executive Committee shall be eligible to run as a Senior Senator;
- d. Any graduate student shall be eligible to run as a Graduate Senator. ~~Section 6: Graduate Senator Eligibility~~ Any student meeting the necessary requirements for office shall be eligible to run for graduate senator.
- e. ~~Section 7: Presidential Ticket Eligibility~~ Any pair of students, ~~enrolled full-time at Truman State University and meeting the necessary requirements for office,~~ Any pair of students shall be eligible to run as a ticket for President and Vice President.

Section 8: Length of Term – Spring Installation

Clause 1

The President, Vice President, three senior senators, and twelve senators shall be elected in the Spring general election for a term beginning at the transitional meeting and ending ~~at~~ up to the ~~next~~ transitional meeting.

Clause 2

Installation of these members shall occur providing the member meets the necessary requirements. Installation of students nominated and confirmed to fill vacancies in these seats shall occur after their confirmation.

Section 9: Length of Term – Fall Installation

Clause 1

Two senior senators, three senators, a graduate senator, four incoming senators, and any positions vacant before petitions for elections are made available to the Student Association for the Fall general election shall be elected in the Fall general election for a term beginning at the date of installation and ending at the next transitional meeting.

Clause 2

Installation of these members shall occur at a regular Fall meeting, no later than the date specified in the standing rules, providing the member meets the necessary requirements. Installation of students nominated and confirmed to fill vacancies in these seats shall occur after their confirmation.

Section 10: Presidential Vacancy

Clause 1

If there is a vacancy in the office of the presidency of the Student Association, the Vice President will assume the office of the presidency for the remainder of the term, appointing a new Vice President from within the Student Government as soon as possible. If there is a vacancy in both the offices of the President and Vice President, a special election will be held between 10 and 20 school days after the office becomes vacant, ~~excluding vacations and holidays~~, to fill the office. This election shall be administered according to the standing rules.

Clause 2

If there is a vacancy in both the offices of President and Vice President, ~~the Speaker of the Senate~~ The Student Senate shall elect from among themselves a President Pro Tempore. This election shall be administered according to the Standing Rules.

ARTICLE VIII: ~~RECALL, REFERENDUM, AND INITIATIVE~~ Powers of the Student Association

Section 1: Recall

~~Clause 3~~

~~The constituency of an elected member of the Student Government shall be defined as members of the Student Association who were able to vote for the candidate during their most recent election to the body.~~

Clause 1

The President of the Student Association, Vice President of the Student Association, and any voting member of the Student Senate are subject to recall at any time by a petition signed by at least fifteen percent of the Student Association.

~~Clause 2~~

~~An Incoming Senator or Graduate Senator may be are subject to recall by a petition signed by at least fifteen percent of their constituency as defined in this constitution.~~

~~Clause 4~~

~~The President, Vice President of the Student Association, senior senator, or senator may be subject to recall by a petition signed by at least fifteen percent of the Student Association.~~

Clause 5

The petition shall be presented to the Student Senate once duly signed. The seat being petitioned will be declared temporarily invalid. ~~When a recall petition has been duly signed, it shall be presented to the Student Senate, the seat that is being petitioned will be declared temporarily invalid.~~ Thereupon, the Student Senate shall call a special election, which shall be held between the fifth and tenth days after said petition has been presented, excluding holidays and vacations; ~~unless the petitioning party waives this right.~~

Clause 6

If a majority of the voters, which shall constitute at least ten percent of the position's constituency, favor the recall, the Student Government member in question shall be recalled and their office declared vacant. ~~Clause 7 All vacancies due to recall shall be filled as all other vacancies that occur in positions in the Student Government.~~ All vacancies shall be filled according to the governing documents.

Section 2: Referendum

The Student Senate may, by a two-thirds majority vote, submit any proposal to the Student Association for a vote. The Student Senate may specify requirements for passage of measures submitted by referendum. The special election is to be held between the seventh and fourteenth day after this decision, excluding holidays and vacations, unless the Student Senate specifies otherwise.

Section 3: Initiative

Clause 1

The Student Association, by a petition signed by at least ~~five~~ ten percent of its members, shall cause a special election for consideration of any resolution ~~or~~ motion, or proposed changes to this or an independent council's constitution adopted by the Student Government. This petition must be submitted within thirty school days, ~~excluding holidays and vacations~~, from the date the Student Senate approved the legislation.

~~Clause 2~~

~~The Student Association, by a petition signed by at least ten percent of its members, shall cause a special election for consideration of its proposed amendments to this constitution or an independent council's constitution.~~

Clause 3

The special election is to be held between the fifth and tenth ~~seventh and fourteenth~~ school day after said petition has been presented, ~~excluding holidays and vacations~~, unless the petitioning party waives this right.

Clause 4

~~The minimum number of votes cast in an initiative election must represent five percent of the Student Association for elections regarding resolutions and motions. The resolution or motion shall be declared null and void if a simple majority of those voting in the initiative election vote in favor of overturning the resolution or motion.~~ The minimum number of votes cast in an initiative election must represent ten percent of the Student Association. Resolutions, motions, and amendments that did not receive a simple majority of those voting in the initiative election shall be declared null and void. Constitutional amendments shall take effect at the next transition meeting following the special election if a simple majority of those voting in the initiative election vote in favor of its adoption.

~~Clause 5~~

~~The minimum number of votes cast in an initiative election must represent ten percent of the Student Association for elections regarding amendments to this or an independent council's constitution. The amendment shall take effect at the transition of the Student Senate at the next transitional meeting following the special election, unless otherwise specified, if a majority of those voting on the amendment vote in favor of its adoption.~~

Clause 6

The Student Government's standing rules and an independent council's by-laws may not be amended through an initiative.

ARTICLE IX: AMENDMENT

Section 21: Ethical Code of Conduct

~~The Student Government's Ethical Code of Conduct will be binding on all members of the Student Government and may be amended or replaced by the Student Government at either of the two meetings of the Student Senate immediately following the Fall general election. The Ethical Code of Conduct of the Truman State University Student Government may be amended, by a three-fourths majority vote, at either of the two meetings of the Student Senate immediately following the Fall general election. The Ethical Code of Conduct of the Truman State University Student Government shall be binding on all members of the Student Government. After that time, the Student Government's Ethical Code of Conduct may only be amended by a three-fourths majority vote.~~

ARTICLE VII: ~~STANDING RULES AND ETHICAL CODE OF CONDUCT OF THE STUDENT GOVERNMENT~~

Section 42: Standing Rules

Clause 1

The Student Government shall develop and maintain a set of Standing Rules, which shall be a governing document inferior to this constitution. ~~The Student Senate shall adopt these rules by a two-thirds majority vote.~~

Clause 2

~~The Student Senate may amend and approve an updated version of the Standing Rules within the first four weeks of the Fall and Spring semesters, not counting the extended freshman week, by a two-thirds majority vote. If no new version is approved, the last approved copy shall remain in effect.~~

Clause 3

~~Standing Rules changes proposed by an ad hoc committee the Governing Documents Review Board created for such a purpose shall require a two-thirds majority vote.~~

Clause 4

The Student Senate may amend the Standing Rules at other times than those specified above by a three-fourths majority vote.

Clause 52

The sections of the Standing Rules dealing with impeachment and censure may not be suspended. The sections of the Standing Rules dealing with impeachment and censure may only be amended within the first four weeks of the Fall or Spring semester, excluding the extended freshman week, and may not be amended while an impeachment or censure is pending.

~~Section 2: Ethical Code of Conduct~~

~~The Student Government's Ethical Code of Conduct will be binding on all members of the Student Government and may be amended or replaced by the Student Government at either of the two meetings of the Student Senate immediately following the Fall general election. After that time, the Student Government's Ethical Code of Conduct may only be amended by a three-fourths majority vote.~~

Section 3: Constitution

Section 1: Proposal

Amendments to the constitution of the Student Government may be proposed by a two-thirds majority vote of those voting members of the Student Senate present or through an initiative from the Student Association. ~~Section 2: Passage~~ Passage of any proposed amendment(s) shall require a majority vote of the Student Association voting at a general election. In a special election, this a majority shall constitute at least five percent of the Student Association.

~~Section 3: Reoccurring Review~~

~~Both the Constitution and Standing Rules of the Student Government must be formally reviewed by the body at least once in between Organizational Activity Fee (OAF) review cycles and informally reviewed annually.~~

Appendix II: Standing Rules

Article I

Section IV

Clause 10

~~In the absence of an Ethics Justice, the Speaker shall serve as Ethics Justice Pro Tempore. In order to form the Governing Documents Review Board, the Speaker of the Student Senate shall present a written letter detailing the goals, timeline, and purpose of the Board to the President. The President shall form the Governing Documents Review Board with an Executive Order. The Speaker or a member specified in the Executive Order shall chair the Board, the President shall be an ex officio member along with at least two Voting Senators appointed by a minor appointment.~~

Clause 11

In instances when the Speaker acts as Ethics Justice, a Speaker Pro Tempore shall preside.

ARTICLE III: EXECUTIVE STAFF

Section 1: Ethics Justice

Clause 1

~~The Speaker of the Student Senate shall be the Ethics Justice, unless the Speaker is unable or unwilling to fulfill the position of Ethics Justice. Should this occur, a full-time student with at least one term of experience on Student Government shall be appointed upon major appointment by the President and confirmation of the Student Senate only if the Speaker of the Student Senate is unable or unwilling to fulfill the position of Ethics Justice.~~

Clause 2

~~Should the Speaker of the Student Senate be unwilling or unable to serve as the Ethics Justice, a full-time student shall serve as Ethics Justice upon major appointment by the President and have had The Ethics Justice shall have at least two semesters one term of experience on the Student Senate and shall be enrolled as a full-time student at Truman State University.~~

Clause 3

The Ethics Justice shall chair the ethics hearing board and shall ~~serve as Elections Administrator~~ administer for all Student Senate elections. The Ethics Justice may appoint a ~~Deputy Elections Administrator~~ with the same qualifications to aid election administration, subject to a majority vote of the Student Senate.

Section 16: Electing a President Pro Tempore

Clause 1

Should both the Presidency and Vice Presidency become vacant, the Student Senate shall elect from among themselves during the next meeting a President Pro Tempore. This election shall give each candidate five minutes to address the Student Senate. After all of the candidates have been given time to talk, the Student Senate shall move into closed session. There will be up to fifteen minutes of debate per candidate. Votes will be cast by the voting members of the Student Senate via secret ballot. A President Pro Tempore shall be elected by a two-thirds majority vote.

Clause 2

Should there be more than one candidate for President Pro Tempore, votes shall be rank ordered. The ballots shall be grouped based on the candidate with the first ranking. The ballots of the

candidate with the least first place rankings shall be redistributed to the persons ranked second on each ballot if that person has a group of ballots remaining. This process shall continue until one candidate has the majority of the first ranking ballots. This person shall become the nominee for President Pro Tempore. A two-thirds majority vote shall be taken to confirm the nominee. The nomination and election process will begin again if no nominee reaches a two-thirds majority.

Section 17: Special Election to Fill a Vacancy in the Presidency

Clause 1

This election shall be conducted under the same rules as the normal presidential election other than the specified changes.

Clause 2

The filing deadline for this special election shall be at 5:00 p.m., ~~between five and seven~~ **ten** school days, ~~excluding holidays and vacations,~~ after the vacancy of the presidency **and vice presidency.**

Clause 3

The election to fill this vacancy shall be held between nine and eleven **school** days, ~~excluding holidays and vacations,~~ after the ~~vacancy~~ **filing deadline to fill a vacancy in** ~~of~~ the presidency **and vice presidency.**

Clause 4

The date for filing and the election shall be set by the Student Senate and shall not occur on a weekend.

ARTICLE IV: ELECTIONS

Section 1: Fall General Election Dates

Clause 1

The ~~Elections Administrator~~ **Ethics Justice** shall suggest Fall election dates, which shall be approved by the Student Senate by the second regular meeting of the Fall academic semester.

Clause 2

The Fall general election shall be held within the month of September.

Clause 3

The filing deadline for the Fall General Election shall be at 5:00 p.m., three days prior to the day on which the election is to begin.

Section 2: Spring General Election Dates

Clause 1

The ~~Elections Administrator~~ **Ethics Justice** shall suggest Spring election dates, which shall be approved by the Student Senate by the second regular meeting of the Spring academic semester.

Section 13: Election Hearing Board

Clause 1

An Election Hearing Board shall consist of between five and nine ~~voting members~~ **members of Student Government, excluding Executive Board Members, and Students at Large.** The **Ethics Justice** and ~~shall include the Ethics Justice and~~ the Student Representative to the Board of

Governors shall also serve on the Election Hearing Board. No members of the Election Hearing Board may be running for office.

Clause 4

The Faculty Advisor will is an ex-officio member of the Hearing Board, but may give advice to those involved in election disputes and shall have access to issues discussed in the board's meetings.

Clause 8

The Election Hearing Board shall determine by a majority vote if a violation of the election rules has occurred. All members of the Election Hearing Board, including the Ethics Justice and the Student Representative to the Board of Governors, have a vote.